MEMORIAL.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met. This Memorial of the "Colored Citizens" of this State, residents of the City of Philadelphia,

Respectfully Sheweth,

That, after a disfranchisement of 17 years—after suffering all the injury, insult and outrage, consequent upon it,—our churches and other institutions pillaged and razed to the ground; our peaceful dwellings, erected by the labor of years, under the most discouraging and disadvantageous circumstances, invaded,—our persons assailed, cruelly beaten, and in some cases, murdered with impunity, by ruthless ruffians, who boasted of their deeds of violence, alike regardless of the laws of God, of the land, and of common humanity; and, emboldened and encouraged by the acts of a convention, (miscalled Reform) that calmly and unjustifiably robbed us of those rights we had enjoyed under the Constitution for 47 years, thereby stamping us a race of vagabonds, paupers and criminals; for, by the articles of Confederation in 1778, none but paupers, vagabonds and fugitives from justice, were excluded from citizenship,—making our existence here one of mere toleration and sufferance, and leaving us a prey to every species of tyranny that may be practised upon a defenceless, unoffending people. Fresh in our recollections are the scenes, when mob-law ruled and triumphed over our city; when hundreds of harmless men, women and children

were driven from their homes, to seek shelter and security on the banks of the Delaware, or on the meadows of the Schuylkill, whose green and mossy beds were nightly occupied by these houseless wanderers—the victims of a prejudice, as heartless and relentless as it is mean and cowardly. Assaulted on the public streets, our wives, mothers and daughters insulted, and upon the slightest resistance, arrested and dragged before a magistrate, incapable of speaking our language correctly—whose only fitness for office consisted in his capacity to disgrace it. Forced from our places of business by a population incapable of comprehending the freedom of our institutions, and having no abiding interest in the welfare of our common country. They being candidates for those priviliges of which we are debarred, gives them a power over us they too fatally use, and in imitation of that tyranny from which they have but recently escaped; they are ever ready to crush out the light of our souls, who, by disfranchisement, are reduced to a position beneath them. These are some of the evils of which your memorialists justly complain, and from their depressing effects our enfranchisement alone can redeem us. To attempt to enumerate all the wrongs inflicted upon us, would indeed be a Herculean task. These evils, these crimes, are the legitimate results of the monstrous doctrine promulgated by a Convention, that determined a man's rights by the curl of his hair—his citizenship by the color of his skin. But we trust that we shall find, at least before the legislative wisdom of this commonwealth, a tribunal worthy of the well-earned reputation of our native State, that will listen to the voice of truth and act in the spirit of justice. The Convention of 1838, by taking from us the right to vote, struck down that safeguard so indispensable to the protection, prosperity and happiness of every honest citizen; establishing a fearful precident, by which any class of our citizens, white or colored, may be despoiled of their rights by an

unprincipled majority; for by what other tenure hold you your privileges and claims to citizenship than those we present? Our relations to society are the same as all others; so all the rights, absolute and relative, belonging to all other citizens, from natural or acquired allegiance, or by general legislation. We are native Americans, and since allegiance is due from us, protection and equal rights are due from the Government. Here we take our position, and upon these principles demand our political privileges from this Commonwealth, which we are bound to aid and defend. Seventeen years continuation of this proscription does not palliate the wrong, but on the contrary augments the demand for its repeal. Against the concentrated injuries which the Reform Convention heaped upon us, we have remonstrated, memorialized, and petitioned in vain; we have waited patiently in the fond hope that the consciences of the people of this Commonwealth would be fully awakened to the magnitude and inhumanity of them. But, alas! in vain. To your Honorable bodies we now turn. In you, we expect to find the proper exponents of the declaration of the American Charter of Rights, and that independence of action which elucidates the true Republican character. We are citizens of the United States, as the articles of confederation between the States in 1778 indubitably show. The 4th of said articles declares, "The free inhabitants of each of those States—paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States."

On the 25th of June, 1778, "the delegates from South Carolina moved the following amendment to the foregoing article, *in behalf of their own State.* In article 4th, between the words free inhabitants, insert the word *white.* Decided in the negative—ayes, two States; nays, eight States,—one State divided." Such was the righteous decision of the Convention prior to the adoption of the Con-

stitution, and no change in that instrument has ever been made as to our right of citizenship. The Abolition Act of Pennsylvania, 1780, deliberately said, "That it was not for them to inquire why, in the creation of mankind, the inhabitants of the several parts of the earth are distinguished by a difference of feature and complexion," and had declared that all persons, of every nation and color should be "deemed, adjudged and holden to be freemen and free-women." The Constitution of 1790, adopting the same phraseology, says, "That every freeman having a residence and paying taxes, shall be an elector." Does our complexion exempt us from taxation? Certainly not. Taxation and representation, then, are among the fundamental principles of our Government. So long as the word white remains engrafted in the Constitution of this commonwealth, the practical conclusion is, that we colored citizens shall not possess rights which belong to us, no matter how useful, virtuous and intelligent we may be. By retaining this discrimination, you violate a sacred principle without the plea or shadow of necessity. It was urged before the Convention in 1838, for the reforming of the Constitution, that expediency and conformity to the prejudices of the community required them to confine the elective franchise to the white population—that we were an inferior class and non-productive, and needed not those privileges which belong to other men. Expediency is always the pillar on which oppressors and tyrants lean. It is the vanguard in the army of iniquitous measures and practices. It is the support of every public wrong and the one argument against all public reform. If it were true that we are an inferior race, we would of necessity remain in that lower scale without the aid of legislative enactment. The very passage of such laws implies, our competency for intellectual and political equality, and declares louder than a million voices, that to confine us to degradation depends upon legislative enactments. We

need not enlarge upon this humiliating topic. Enough has been said to show how abhorrent from all our notions of religious duty and rational behavior, is the conduct pursued against us, who are known only by our wrongs. The Constitution of 1790 did not recognize that intermediate state of being to which disfranchisement has reduced us. It said expressly the reverse; and declaring, as it did, that every freeman, complying with certain conditions, shall be a citizen in the broadest sense of the word, it said all that we now contend for, and demand at your hands. The phraseology of the Constitution was neither unadvised nor inconsiderate; there was very many free colored people in the Commonwealth at the time of its adoption. The meaning of the word, "freeman," was familiar to the intellectual and free-souled men who framed that instrument, and our existence and condition were formally brought before the Convention. The distinction which now degrades our Constitution may comport with the notions entertained by the oppressor, but it is abhorrent to the feelings of all honorable men, and cannot receive countenance from them. The right to disfranchise citizens, guiltless of crime, is a modern device, spawned of a false democracy. Such was not the ideas of the heroes of the revolution, when our fathers stood in the same ranks of that army, which achieved for us all the liberties you *alone* enjoy. In the name of justice we ask what offence have we committed? Have we disgraced the State and abused the right of franchise, wherever we have possessed it, by the reception of bribes? Does there exist any act proving us recreant to these principles which adorn and beautify the citizen? No! We point you to the many honorable deeds accorded to our praise, and to the history of the past events of the revolution, whose pages are unsullied by the name of a sable traitor. By the act of 1791, giving the Supreme Court, the Attorney General and the Governor, authority to incorporate literary, charitable and reli-

gious associations, they are expressly limited to associations of *citizens*; and under that act, construed as it has been most cautiously in this very particular, we have had incorporated one hundred and eight Mutual Beneficial Societies, having 9,762 members; their annual income $29,600; permanent invested fund, $28,366; this amount is invested in various institutions among the *whites*, who derive a large per cent. therefrom; 1,385 families were assisted by these societies during the year 1853; and the sums furnished amounted to $10,292 38; whole expenditure $27,347 02. It is evident from the above statement that these charitable institutions must materially relieve the distress of families, and maintain a large portion of our poor under privations and in circumstances which would otherwise throw them upon public relief. We have twenty-seven churches, with eight thousand members. Most of these congregations have Sunday schools taught by one hundred and eighty-three colored teachers, and attended by upwards of seventeen hundred scholars; we have also fifteen temperance societies, five public halls, three libraries, five literary associations, and twenty-seven private schools, sustained and taught by us.

By the following educational statistics and criminal reports, it will be seen that we compare favorably with the white population in intelligence, and morality.

The aggregate of pupils (whites) in the private and public schools in 1850, city and county of Philadelphia, were about 50,000—which is in proportion of 1 to every 10 of white population. Aggregate of colored pupils, 2,239—being 1 to every 10 of colored population. The colored population, therefore, are as assiduous in fitting their children to become good citizens as the other class, although they have not the same incentives. Another fact is important. By the census of 1840 there were in the State of Pennsylvania 1 in every 49 white adults that could not read or write, and by census of 1850, there

were 1 in every 33; showing an increase (from whatever cause) of illiterate persons. And if rights are to be meted out according to educational preparation, the whites, as a whole, are not so fitted now to enjoy them as they were 10 years ago. Again, as to crimes among us: by a letter of Judge Kelly, written in answer to certain questions put to him, it is shown that for the three years up to 1854, the commitments of colored persons to the Philadelphia County Prison have gradually decreased, while those of the whites for the same period have markedly increased.

Your memorialists respectfully direct the attention of your Honorable bodies to the following opinions and facts set forth by the Hon. Joseph Hemphill, and others, of Pennsylvania, in speeches delivered in Congress, 1820, on the Missouri question.

HON. WILLIAM EUSTIS,

Late Governor of Massachusetts, and a Soldier of the Revolution—Extracts from his Speech delivered in the Congress of the United States, Dec. 12, 1820, *on the Missouri Question.*

The question to be determined, said Mr. *Eustis,* is, *whether* that article in the constitution of Missouri, requiring the legislature to provide by law "that free negroes and mulattoes shall not be admitted into the State," is, or is not, repugnant to that clause of the constitution of the United States which declares "that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." This is the question. Those who contend that the article is not repugnant to the constitution of the United States, take the position that free blacks and mulattoes are not citizens. *Now, I invite the gentlemen who maintain this, to go with me and examine this question to its root.*

The gentleman from Virginia says, that the term "We, the people," (in the preamble of our national constitution,) does not mean to include Indians, free negroes, or mulattoes. If it shall be made to appear that persons of this description, citizens at the time, were parties to, and formed an integral part of that compact, it follows that they are and must be included in it. To justify the inferences of gentlemen, the preamble should read, "We, the *white* people." But this was impossi-

ble; the members of the convention who formed the constitution, from the Middle and Northern States, could never have consented, knowing that there were in those States many thousands of people of color, who had rights under it. They were free—free from their masters. Yes, in the first instance they also became freemen of the State, and were admitted to all the rights and privileges of citizens. They enjoyed and exercised the rights of free citizens, and have continued to exercise them from the peace of 1783 to this day.

In Massachusetts they constituted, and were, in fact, an elementary part of the federal compact. They were as directly represented as the whites in the initiatory process; and from their votes, in common with those of the whites, emanated the convention of Massachusetts, by whom the federal constitution was received and ratified. Is not this proof? Is it not demonstration that they are entitled to, that they hold and exercise federal rights in common with our other citizens? If a doubt remains, it is answered by another important fact. They are also represented, not circuitously and indirectly, but *directly*, in this House. I very much doubt, Sir, if there be a member on this floor, from any one district in Massachusetts, whose election does not partake of the votes of these people.

Not only the rights, but the character of these men, do not appear to have been understood; nor is it to me at all extraordinary that gentlemen from other States, in which the condition, character, the moral faculties, and the rights of men of color differ so widely, should entertain opinions so varient from ours. In Massachusetts, sir, there are among them those who possess all the virtues which are deemed estimable in civil and social life. They have their public teachers of religion and morality—their schools and other institutions. On anniversaries, which they consider interesting to them, they have their public processions, in all which they conduct themselves with order and decorum. Now we ask only, that in a disposition to accommodate others, their avowed rights and privileges be not taken from them.

If their number be small, and they are feebly represented, we, to whom they are known, are proportionately bound to protect them. But their defence is not founded on their numbers; it rests on the immutable principles of justice. If there be only one family, or a solitary individual, who has rights guaranteed to him by the constitution, whatever may be his color or complexion, it is not in the power, nor can it be the inclination of Congress to deprive him of them. And I trust, sir, that the decision on this occasion will show that we will extend good faith even to the blacks.—*Nat Int.*, Jan. 2, 1831.

JOSEPH HEMPHILL, OF PENNSYLVANIA.

Extracts from his Speech, delivered in Congress, December 11, 1820, on the Missouri Question.

ARE FREE BLACK PEOPLE CITIZENS OR NOT?

[*Their condition at the time of forming the State Constitutions.*]

Mr. *Hemphill.* At this stage I beg the House to recollect, that previous to the adoption of the constitution of the United States, each State had the unquestionable right of saying who should compose its own citizens; and if, at the adoption of the constitution of the United States, free negroes and mulattoes were citizens of any one State in the Union, the federal constitution gave to such citizens all the privileges and immunities of the citizens of the several States.

When our different constitutions were formed, this class of people lived among us; not in the character of foreigners—they were connected with no other nation; this was their native country, and as dear to them as to us. Thousands of them were free born, and they composed a part of the people in the several States; they were identified with the nation, and its wealth consisted in part of their labor. They had fought for their country, and were righteously included in the principles of the declaration of independence. This was their condition when the constitution of the United States was formed, and that high instrument does not cast the least shade of doubt upon any of their rights or privileges; I challenge gentlemen to examine it, with all the ability they are capable of, and see if it contains a single expression that deprives them of any privilege that is bestowed upon others.

[*Their personal rights.*]

They have a right to pursue their own happiness in as high degree as any other class of people. Their situation is similar to others in relation to the acquirement of property and the various pursuits of industry. They are entitled to the same rights of religion and protection, and are subject to the same punishments. They are enumerated in the census. They can be taxed, and made liable to militia duty. They are denied none of the privileges contained in the bill of rights. And although many of these advantages are allowed a stranger during his temporary residence, yet in no instance is a free native black man treated as a foreigner.

When they enjoy all these rights, civil and religious, equally with the white people; and when they all flow from the same constitutions and laws, without any especial reference or designation of them, I have a curiosity to learn upon what principle any right can be singled out as one of which they are to be deprived.

I appeal to the public transactions of this country, to the different constitutions and to the laws, for the correctness of this position; that whenever exceptions are intended to be made in regard to this class of people, that it requires express provisions for the purpose. It is said that they are not witnesses in some States; but it requires a particular law to render them incompetent to give testimony.

[*Citizenship.*]

As to citizenship—if being a native, and free born, and of parents belonging to no other nation or tribe, does not constitute a citizen in this country, I am at a loss to know in what manner citizenship is acquired by birth.

When a foreigner is naturalized he is only put in the place of a native freeman. This is the general idea of naturalization.

The word citizen, in its original sense, I believe only meant a free person of a city; it had no application here until after our independence; and then it had to be accommodated to the customary and peculiar character of our complex system. In our political acceptation of the word, it differs in theory and origin from allegiance; that was a feudal connection acknowledging the distinction of superior and inferior. It was a species of slaves tenure. But citizenship is rather in the notion of a compact, expressly or tacitly made; it is a political tie, and the mutual obligations are, allegiance and protection.

[*Impressed Seamen.*]

If our free black population should be impressed in a foreign port, how could we redress the wrong, if we have no political connection with them—if they do not belong to our political family? Previous to the revolution they were British subjects, and they were dissolved from any further connection with that nation at the same time with the white people; and it would be exceedingly strange, if from that moment they ceased to be connected with any political society. Cases are familiar where they assume, not only the appearance, but the reality of a citizenship. If they should engage in commerce, none of the regulations as to foreigners would be applicable to them. Can there exist any

doubt as to their capacity of sustaining actions in the federal courts in the character of citizens?

[*Citizens by the law of Congress of* 1783.]

And in the Journal of Congress, 1783, we are furnished with the opinion of Congress on this subject in terms equally clear and explicit, when it was resolved (with the exception of two States, one of which was divided,) "that all charges of war, and all the expenditures that had been, or shall be incurred for the common defence and general welfare, &c., shall be defrayed out of the common treasury, which shall be supplied by the several States, in proportion to the whole number of *white and* OTHER *free citizens*, and the inhabitants of every age, sex, and condition, &c."

Here it is acknowledged expressly, that there were other free citizens besides *white* citizens. If this will not convince gentlemen that free negroes and mulattoes were, from early times, considered as citizens, and composed a part of the people who chose the delegates to frame the federal constitution, it will be in vain for me to urge the matter further.

MR. STRONG, OF NEW YORK.

Extracts from his Speech, delivered in Congress, Dec. 9th, 1820, on the Missouri Question.

[*Characteristics of a Citizen.*]

Are our free negroes and mulattoes citizens? Facts and experience in politics and morals, are better than definitions. The characteristics of a citizen are, the right of passing freely, and unmolested, from town to town, and place to place, within the State, and of residing, at pleasure, in any part of the same. That these rights belong to every one entitled to the high privileges of a citizen, I think will not be denied. All free persons have this right, except aliens, lunatics, vagabonds, and criminals.

The federal constitution knows but two descriptions of freemen. These descriptions are citizens and aliens. Now Congress can naturalize only aliens, *i. e*, persons who owe allegiance to a foreign Government. But a slave has no country, and owes no allegiance, except to his master. How, then, is he an alien? If restored to his liberty, and made a freeman, what is his national character? It must be determined by the federal constitution, and without reference to policy: for it respects personal liberty. Is it that of citizen or alien? But it has

been shown that he is not an alien; may we not, therefore, conclude, nay, are we not bound to conclude, that he is a citizen of the United States.

Facts are better than theories. In many of the States they are recognized as citizens, and are, among other things, eligible to office, entitled to hold real estate, to vote, to sue, and to be sued. In some of the States, their fathers, with ours, fought the battles of the revolution. Vermont was admitted into the Union in 1791, and had then, and still has, free negroes and mulattoes, whose citizenship, by the citizens of that State, has never been doubted.

[*Can prosecute in United States courts.*]

I will refer again to the federal constitution. It is there declared, that the judicial power shall extend (among other cases) to controversies between citizens of different States. Now, any person in the State of Maryland who can prosecute a citizen of Virginia under this clause, must be a citizen of Maryland; and so of every other State. Is not this a sure criterion of citizenship? Who can then prosecute? Is there a *freeman* in the nation, not an alien, and domiciled in a State who cannot prosecute and be prosecuted in the federal courts? If there be one, it must be owing to some legal disability. Are *free* negroes and mulattoes, domiciled in a State, under any disability? The federal constitution interposes none, and I know no law or judicial decision that does. If they can prosecute in the federal courts, under this clause of the federal constitution, then they are citizens of the States.

HEZEKIAH NILES, OF BALTIMORE.

This venerable gentlemen, in speaking of the Missouri question, says: It is expressly provided (*Art.* iv. *Sec.* 2, *clause* 1) by the constitution of the United States, "that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." This is a very simple, plain, and imperative sentence. Free blacks and mulattoes are citizens in all the States, I believe, east of Delaware, as well as in the States northeast of the river Ohio, and they cannot be dispossessed of the right to locate themselves where they please.

The constitution of the United States equalizes the privileges of the citizens of the States, without respect to color or the country from whence they may be derived. This principle must be maintained. The few free blacks and mulattoes in the United States are not to be considered * * * * It is the disfranchisement of citizens who are citizens, and cannot be dis-

franchised. Shall we open the door to what may become the foulest proscriptions?

Nile's Register, Oct. 21, and Nov. 4, 1820, vol. xix. pp. 113,146.

We have no wish to go further into an argument of our rights as citizens, for we are fully aware that every member of your Honorable bodies is familiar with that question, as well as conscious of our value to the moral and pecuniary interests of our State. That we are a useful and productive class of citizens, the following facts will prove: We number 30,000 persons—residing in the city of Philadelphia—possessing at the present time of real and personal estate $2,685,693. We have paid for taxes, $9,766 42 during the last year; for house, water, and ground rent, $396,782 27. Here, then, is an addition to the wealth of the State, which requires something more than brute instinct to produce.

Return to us those rights of which we are deprived, and which you have so freely given to the sons of the men who fought against your independence, and you will have no class of citizens among you that will reflect more credit upon our state. Our loyalty—the most hardy hater of our race dare not gainsay—is proven by the readiness with which we hazarded our lives and property in those times "which tried the souls of men." We, of all other men, have the highest claims to the privilege of citizenship, since the first blood shed upon the altar of American Republicanism, and consecrated its soil to liberty and independence, was that of Crispus Attucks, a "colored man." In that trying hour, the dubious twilight of our nation's history, when no reward seemed to await the heroes' struggles, when adversity, like a rigid sentinel, challenged the bold, the daring, and the brave; he, tinged with a complexion now scorned and despised, led on that little band of patri-

ots whose deeds have given to Boston an immortality of fame, and fell the first martyr to the cause of justice, and the freedom of his native country. In every prominent battle of the revolution, and in the last war, our fathers stood shoulder to shoulder with yours,—at Bunker Hill, the battles of Lexington, Concord, Germantown, the storming of Red Bank, amid the horrors of Valley Forge, on the Banks of the Mobile, and on the Lakes with Perry. Of our services and sufferings in those eventful periods the following facts will clearly show:

The late Governor Eustis, of Massachusetts, the pride and boast of the democracy of the East—himself an active participant in the war, and, therefore, a most competent witness—Gov. Morrill, of New Hampshire, Judge Hemphill, of Pensylvania, and other members of Congress, in the debate on the question of admitting Missouri as a Slave State into the Union, bore emphatic testimony to the efficiency and heroism of the black troops. Hon. Calvin Goddard, of Connecticut, states that, in the little circle of his residence, he was instrumental in securing, under the act of 1818, the pensions of nineteen colored soldiers. "I cannot," he says, "refrain from mentioning one aged black man, Primus Babcock, who proudly presented to me an honorable discharge from service during the war, dated at the close of it, wholly in the hand-writing of George Washington. Nor can I forget the expression of his feelings, when informed, after his discharge had been sent to the War Department, that it could not be returned. At his request it was written for, as he seemed inclined to spurn the pension, and reclaim the discharge." There is a touching anecdote related of Baron Steuben, on the occasion of the disbandonment of the American army. A black soldier, with his wounds unhealed, utterly destitute, stood on the wharf, just as a vessel bound for his distant home was getting under weigh. The poor fellow gazed at the vessel with tears in his eyes, and gave himself up in despair. The warm-hearted foreigner witnessed his emotion, and inquiring into the cause of it, took his last dollar from his purse, and gave it to him, with tears of sympathy trickling down his cheeks. Overwhelmed with gratitude, the poor wounded soldier hailed the sloop, and was received on board. As it moved out from the wharf, he cried back to his noble friend on shore, "God Almighty bless you, master Baron!"

"In Rhode Island," says Governor Eustis, in his able speech against slavery in Missouri, 12th of 12th month, 1820 "the

blacks formed an entire regiment, and they discharged their duty with zeal and fidelity. The gallant defence of Red Bank, in which the black regiment bore a part, is among the proofs of their valor." In this contest, it will be recollected, that four hundred men met and repulsed, after a terrible and sanguinary struggle, fifteen hundred Hessian troops, headed by Count Donop. The glory of the defence of Red Bank, which has been pronounced one of the most heroic actions of the war, belongs in reality to the black men; yet who now hears them spoken of in connection with it? Among the traits which distinguished the black regiment, was devotion to their officers. In the attack made upon the American lines near Crotan river, on the 13th of 5th month, 1781, Colonel Greene, the commander of the regiment, was cut down and mortally wounded; but the sabres of the enemy only reached him through the bodies of his faithful guard of blacks, who hovered over him to protect him, every one of whom was killed. The late Rev. Dr. Harris, of Dunbarton, New Hampshire, a revolutionary veteran, stated in a speech at Francestown, New Hampshire, some years ago, that on one occasion the regiment to which he was attached was commanded to defend an important position, which the enemy thrice assailed, and from which they were as often repulsed. "There was," said the venerable speaker, "a regiment of blacks in the same situation—a regiment of negroes fighting for our liberty and independence, not a white man among them but the officers —in the same dangerous and responsible position. Had they been unfaithful, or given away before the enemy, all would have been lost. Three times in succession were they attacked with most desperate fury by well-disciplined and veteran troops, and three times did they successfully repel the assault, and thus preserved the army. They fought thus through the war. They were brave and hardy troops."

In the debate of the New York Convention of 1821, for amending the Constitution of the State, on the question of extending the right of suffrage to the blacks, Dr. Clark, the delegate from Deleware County, and other members, made honorable mention of the services of the colored troops in the revolutionary army.

The late James Forten, of Philadelphia, well known as a colored man of wealth, intelligence, and philantrophy, enlisted in the American navy under Captain Decatur, of the Royal Louis, was taken prisoner during his second cruise, and, with nineteen other colored men, confined on board the horrible Jersey prison ship. All the vessels in the American service at that period were partly manned by blacks. The old citizens of Philadelphia to this day remember the fact, that when the troops

of the North marched through the city, one or more colored companies were attached to nearly all the regiments.

Governor Eustis, in the speech before quoted, states that the free colored soldiers entered the ranks with the whites. The time of those who were slaves were purchased of their masters, and they were induced to enter the service in consequence of a law of Congress by which, on condition of their serving in the ranks during the war, they were made freemen. This hope of liberty inspired them with courage to oppose their breasts to the Hessian bayonets at Red Bank, and enabled them to endure with fortitude the cold and famine of Valley Forge. The anecdote of the slave of General Sullivan, of New Hampshire, is well known. When his master told him that they were on the point of starting for the army, to fight for liberty, he shrewdly suggested that it would be a great satisfaction to know that he was indeed going to fight for his liberty. Struck with the reasonableness and justice of this suggestion, Gen. S. at once gave him his freedom.

The Hon. Tristram Burges, of Rhode Island, in a speech in Congress, 1st month, 1828, said: "At the commencement of the revolutionary war, Rhode Island had a number of slaves. A regiment of them were enlisted into the Continental service, and no braver men met the enemy in battle; but not one of them was permitted to be a soldier until he had first been made a freeman."

The celebrated Charles Pinckney, of South Carolina, in his speech on the Missouri question, and in defence of the slave representation of the South, made the following admissions:—

"They (the colored people) were in numerous instances the pioneers, and in all, the laborers of our armies. To their hands are owing the greatest part of the fortifications raised for the protection of our country. Fort Moultrie gave, at an early period of the inexperience and untried valour of our citizens, immortality to the American arms. And in the northern States numerous bodies of them were enrolled, and fought side by side with the whites at the battles of the Revolution."

Let us now look forward thirty or forty years, to the last war with Great Britain, and see whether the whites enjoyed a monopoly of patriotism at that time.

Said Martindale, of New York, in Congress, 22d of 1st month, 1828: "Slaves, or negroes who had been slaves, were enlisted as soldiers in the war of the Revolution; and I myself saw a battalion of them, as fine martial-looking men as I ever saw, attached to the northern army, in the last war, on its march from Plattsburgh to Sackett's Harbor."

Hon. Charles Miner, of Pennsylvania, in Congress, 2nd month,

7th, 1828, said: "The African race make excellent soldiers. Large numbers of them were with Perry, and helped to gain the brilliant victory of Lake Erie. A whole battalion of them were distinguished for their orderly appearance."

Dr. Clark, in the Convention which revised the Constitution of New York, in 1821, speaking of the colored inhabitants of the State, said:

"In your late war they contributed largely towards some of your most splendid victories. On Lakes Erie and Champlain, where your fleets triumphed over a foe superior in numbers and engines of death, they were manned in a large proportion with men of color. And in this very house, in the fall of 1814, a bill passed, receiving the approbation of all the branches of your Government, authorizing the Governor to accept the services of a corps of 2,000 free people of color. Sir, these were times that tried men's souls. In these times it was no sporting matter to bear arms. These were times when a man who shouldered his musket did not know but he bared his bosom to receive a death wound from the enemy ere he laid it aside; and in these times these people were found as ready and as willing to volunteer in your service as any other. They were not compelled to go; they were not drafted. No; your pride had placed them beyond your compulsory power. But there was no neeessity for its exercise; they were volunteers: yes, sir, volunteers to defend that very country from the inroads and ravages of a ruthless and vindictive foe, which had treated them with insult, degradation, and slavery."

On the capture of Washington by the British forces, it was judged expedient to fortify, without delay, the principal towns and cities exposed to similar attacks. The Vigilance Committee of Philadelphia waited upon three of the principal colored citizens, viz.: James Forten, Bishop Allen, and Absolom Jones, soliciting the aid of the people of color in erecting suitable defences for the city. Accordingly 2,500 colored men assembled in the State House yard, and from thence marched to Gray's ferry, where they labored without intermission. Their labors were so faithful and efficient, that a vote of thanks was tendered them by the Committee. A battalion of colored troops was at the same time organized in the city, under an officer of the United States army; and they were on the point of marching to the frontier when peace was proclaimed.

Gen. Jackson's proclamations to the free colored inhabitants of Louisiana are well known. In his first, inviting them to take up arms, he said:

"As sons of freedom, you are now called on to defend our most inestimable blessings. As Americans, your country looks with confidence to her adopted children for a valorous support. As fathers, husbands, and brothers, you are summoned to rally around the standard of the Eagle, to defend all which is dear in existence."

The second proclamation is one of the highest compliments ever paid by a military chief to his soldiers :

TO THE FREE PEOPLE OF COLOR.

"Soldiers! When on the banks of the Mobile, I called you to take up arms, inviting you to partake the perils and glory of your white fellow citizens, I expected much from you, for I was not ignorant that you possessed qualities most formidable to an invading enemy. I knew with what fortitude you could endure hunger and thirst, and all the fatigues of a campaign. I knew well how you loved your native country, and that you, as well as ourselves, had to defend what man holds most dear—his parents, wife, children, and property. You have done more than I expected. In addition to the previous qualities I before knew you to possess, I found among you a noble enthusiasm, which leads to the performance of great things.

"Soldiers! The President of the United States shall hear how praiseworthy was your conduct in the hour of danger, and the Representatives of the American people will give you the praise your exploits entitle you to. Your General anticipates them in applauding your noble ardor."

Our right, then, to citizenship, is co-equal with the heroes of '76, and of the last war. The bones of our fathers have whitened every sanguinary field of the revolution—the blood trickling from their feet crimsoned the snows of Jersey.

With these facts before your Honorable bodies, showing our usefulness, fidelity and patriotism, and believing that you cannot but acknowledge that we are a peaceful, law-abiding people, we, therefore, ask you to interpose, in the fullness of your power, and remove that proscriptive clause from the Constitution, which so needlessly disgraces and alienates fifty-five thousand Pennsylvanians, whose pro-

perty you tax, and at whose hands every service is required. We regret that our State should favor such a law—a State so distinguished for her early republican ardor, feeling, and attachment to justice. It was an unlucky hour when it was devised and passed. It was a most wanton and uncalled for persecution, and strengthens the prejudice already pervading the community against us, and makes Pennsylvania an ally in the unholy cause of oppression. In the name of the religion you profess, and the country you adore, we appeal to you for redress. The eyes of awakened nations, struggling for their rights, in the halls of legislation or on the field of battle, rest upon you. The spirits of your revolutionary sires, whose memories, venerated and revered, invite you, their unfettered and honored sons, to the performance of this act of justice. May that patriotism, which in the hour of need speaks a common language in a common cause, inspire you with a determination to restore to us those rights, purchased by our loyalty and by the blood of our fathers,

And your memorialists will ever pray.

Signed in behalf of the Colored Citizens of Philadelphia.

Jas. McCrummill,
Rev. Adam S. Driver.
Wm. P. Price,
N. W. Dupee,
Franklin Turner,
Wm. D. Forten,
Robt. B. Forten,

Committee.